

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

**Re: ECF Nos. 21716, 21717**

*(Jointly Administered)*

**URGENT CONSENSUAL MOTION FOR EXTENSION OF DEADLINES**

To the Honorable United States District Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (the “Commonwealth”) respectfully submits this urgent consensual motion (the “Urgent Motion”) for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadlines set forth in the *Order Scheduling Briefing Of Mr. Jose Lopez Medina’s Motion For Relief From The Automatic Stay Pursuant To PROMESA’S Sections 4, 7, 301(C)(3), 304(H) And Bankruptcy Code’s Sections 362(B)(4), (D)(1)* [ECF No. 21717] (the “Scheduling Order”).<sup>2</sup>

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> The Financial Oversight and Management Board for Puerto Rico, as the Commonwealth’s representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), has authorized the Department of Justice to file this Urgent Motion on behalf of the Commonwealth.

**Request for Relief**

1. On August 4, 2022, Mr. José Lopez Medina (the “Movant”) filed the *Motion for Relief from the Automatic Stay pursuant to PROMESA’s Sections 4, 7, 301(c)(3), 304(h) and Bankruptcy Code’s 362 (b)(4), (d)(1)* [ECF No. 21716] (the “Motion”), seeking an order lifting the automatic stay to allow the litigation captioned *López Medina v. Police Dept. et al.*, Case No. 17-02232, pending before the United States District Court for the District of Puerto Rico, to proceed to final judgment and to execute any monetary judgment against the Commonwealth. *See* Motion ¶ 34.

2. On August 4, 2022, the Court entered the Scheduling Order, which provides that responses to the Motion must be filed by August 18, 2022, and Movant’s reply by August 25, 2022.

3. Since Movant’s filing of the Motion, the Commonwealth has been expeditiously gathering the necessary information and documents to properly evaluate the allegations included therein. Although the Commonwealth has gathered the majority of the necessary information, not all documentation in connection with the Motion has been received.

4. Accordingly, the Commonwealth, with Movant’s consent, proposes the following short extensions of the deadlines set forth in the Scheduling Order:

- The deadline to respond to the Motion shall be extended to **August 22, 2022**.
- The deadline for Movant to file a reply to a response, if any, shall be extended to **August 29, 2022**.

5. Pursuant to Paragraph I.H of the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 20190-1] (the “Case Management Procedures”), the Commonwealth hereby certifies that it has carefully examined the matter and concluded that there

is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter without a hearing; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and Movant consents to the request in this urgent motion.

**Notice**

6. The Commonwealth has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors' bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight Board; (g) the Puerto Rico Department of Justice; (h) all parties filing a notice of appearance in these Title III cases; and (i) Movant. A copy of the motion is also available on the Commonwealth's case website at <https://cases.primeclerk.com/puertorico/>.

7. The Commonwealth submits that, in light of the nature of the relief requested, no other or further notice need be given.

*[Remainder of Page Left Intentionally Blank]*

**WHEREFORE** the Commonwealth requests the Court enter the Proposed Order and grant such other relief as is just and proper.

Dated: August 18, 2022  
San Juan, Puerto Rico

Respectfully submitted,

**DOMINGO EMANUELLI HERNÁNDEZ**  
Secretary of Justice

*/s/ Susana I. Peñagaricano Brown*  
**SUSANA I. PEÑAGARICANO BROWN**  
USDC No. 219907  
Deputy Secretary in Litigation  
Department of Justice  
P.O. Box 9020192  
San Juan, Puerto Rico 00902-0192  
Phone: 787-721-2900 Ext. 1404  
[spenagaricano@justicia.pr.gov](mailto:spenagaricano@justicia.pr.gov)  
*Attorney for the Commonwealth of Puerto Rico*

**Exhibit A**

**Proposed Order**